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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/891,757

Filing Date

06/26/2001

First Named Inventor

Russell P. Davis

Group Art Unit

Examiner Name

Total Number of Pages in This Submission

Attorney Docket Number

## ENCLOSURES

(check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment / Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☒

Response to Missing Parts/  
Incomplete Application

☐

Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Assignment Papers  
(for an Application)

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation  
Change of Correspondence  
Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

After Allowance Communication  
to Group

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please  
identify below):

Cover Letter 1 page  
Notice of Missing 4 pages  
SR01 2 pages  
Amended Application  
102 pages

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Russell P Davis

Signature

Russell P Davis

Date

12/16/2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 12/18/2001

Typed or printed name

Russell P Davis

Signature

Russell P Davis

Date

12/17/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Sector \$

December 16, 2001

Inventor Name: Inventor Residence and Correspondence Address:	Russell Patton Davis 613 Mango Dr., Virginia Beach, VA 23452
Invention:	AN INTEGRATED SYSTEM FOR SHELLFISH PRODUCTION: Encompassing Hatchery, Nursery, Grow-out, Brood-stock Conditioning and Market Conditioning Phases; also Water Treatment, Food Supplement, Propulsion, Anchoring, Security, and Devices for the Integration of Neighborhood Values and Shellfish Production.
Provisional Application:	JUNE 28, 2000 60/214,458 SEPT 8, 2000 60/232,079 OCT 2, 2000 60/237,033 DEC 01, 2000 60/250,389 FEB 02, 2001 60/263,820
Application:	JUNE 26, 2001 09/891,757



December 15, 2001

Office of Initial Patent Examination Customer Service Center  
United States Patent and Trademark Office  
Washington, DC 20231

Re: Noted error on Filing receipt "Notice to File Missing Parts"

Dear PTO,

Please find enclosed a letter from the PTO requesting replacement oath, drawings, amendment, and an additional fee of \$120.

I will address the "Notice of Missing Parts" in the order that it raises the issues:

1) **"Total additional claim fee(s) of this application is \$120. \$120 for independent claims over 3"**

The \$120 payment is enclosed as I would not suffer a rejection by the PTO for that amount, but I cannot derive a method by which the fee was calculated. There is a \$120 fee for a late oath but that oath has been on the first and last page of every application you have received for me.

2) **"A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required"** The Application could have no application number until the PTO assign it so obviously I could not note it on the applications Oath but the PTO certainly could. PTO form SB01 has been included for your convenience. The signed oath has been on the first (and probably the last) page of every application you have received for me.

3) **"Substitute Drawings in compliance with 37 CFR 1.84 because: drawing sheets do not have the appropriate margins. Each sheet must include a top margin of at least 1 inch, a left side margin of at least 1 inch, a right side margin of at least 5/8 inch, and a bottom margin of at least 3/8 inch"** Perhaps the PTO reviewed the uncorrected drawings submitted on 9/16/2001. To my measure all drawings were in margin compliance as of that submission. The whole application is enclosed that no mix-up need occur again.

4) **"Substitute Drawings in compliance with 37 CFR 1.84 because: drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible."** I edited the bitmap drawings to remove any redundant or inappropriate legend that I could find, yet I am still at a loss as to how I should meet your criteria as it seems very subjective - I beg you not to tear the fruits of my labor from me on this issue - you may do this and there is nothing I can do about it except beg. Yes, the descriptive legend I have applied to the drawing is more descriptive than nominal. I have made several attempts to pair the verbiage but each cut has made the drawings much less than revealing. The methods employed by these devices are generally so devoid of prior art that the drawing seem undecipherable without a relatively rich legend. Surely, the application would be weaker if the legend were made nominal. Please accept these drawings.

5) **"Fig 13 described in the specification . . . has been omitted."** I did that intentionally as the claims supported by that drawing were not worth the cost of claiming and completing the drawing - so I removed the drawing. At your request I have removed the all references to that drawing, renumbered the drawings, and edited the references to match the new drawing numbers as is required by option "III" of the PTO's attached letter.

The sanitized application is enclosed along with a check for \$120 (which my children will sorely miss)

Thank you,  
Russell P Davis

09691757 0103002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,757	06/26/2001	Russell Patton Davis	

Russell Patton Davis  
613 Mango Dr.  
Virginia Beach, VA 23432



CONFIRMATION NO. 3807

## FORMALITIES LETTER



\*OC000000007161911\*

01/17/2002 TV0111 00000003 09891757

01 FC:202

120.00 DP

Date Mailed: 12/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Adjustment date: 01/17/2002 TV0111  
01/08/2002 AGOITOM 00000065 09891757  
~~02 FC:197~~

FILED UNDER 37 CFR 1.53(b)

Adjustment date: 01/17/2002 TV0111  
01/08/2002 AGOITOM 00000065 09891757  
~~01 FC:202~~

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$120.
  - \$120 for 36 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- The balance due by applicant is \$ 120.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));

The following item(s) appear to have been omitted from the application: 01/08/2002 AGOITOM 00000065 09891757

~~01 FC:202~~  
~~02 FC:197~~

~~84.00 DP~~  
~~36.00 DP~~

- Figure(s) Fig 13 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/891,757	06/26/2001	Russell Patton Davis	

Russell Patton Davis  
613 Mango Dr.  
Virginia Beach, VA 23432



CONFIRMATION NO. 3807

## WITHDRAWAL NOTICE



\*OC000000007155746\*

Date Mailed: 12/06/2001

## WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 08/22/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/891,757	06/26/2001	3643	0.00		17	39	39

CONFIRMATION NO. 3807

## FILING RECEIPT



\*OC000000007161910\*

Russell Patton Davis  
613 Mango Dr.  
Virginia Beach, VA 23432



Date Mailed: 12/06/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Russell Patton Davis, Virginia Beach, VA;

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/214,458 06/28/2000  
AND CLAIMS BENEFIT OF 60/232,079 09/08/2000  
AND CLAIMS BENEFIT OF 60/237,033 10/02/2000  
AND CLAIMS BENEFIT OF 60/250,389 12/01/2000  
AND CLAIMS BENEFIT OF 60/263,820 02/02/2001

**Foreign Applications**

If Required, Foreign Filing License Granted 08/22/2001

**Projected Publication Date:** To Be Determined - pending completion of Missing Parts

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Integrated system for shellfish production: encompassing hatchery, nursery, brood-stock conditioning and market conditioning phases; also water treatment, food supplement, propulsion, anchoring, security, and devices for the integration of neighborhood values and shellfish

Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.


II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

  
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PART 2 - COPY TO BE RETURNED WITH RESPONSE